

Remarks

Further and favorable reconsideration is respectfully requested in view of the foregoing amendments and following remarks.

Initially, although the Office Action summary page includes claim 5 among the pending claims, please note that this claim was previously cancelled, in the Amendment filed April 27, 2009.

All of the pending claims have now been replaced by new claims 19-20. Claim 19 is directed to the compounds set forth in the Examples in the present application. Claim 20 corresponds to claim 7, but is dependent on new claim 19.

Applicants take the position that the foregoing amendments should be entered, even though they are being submitted after a final rejection, since the effect of the amendments is to clearly place the application in condition for allowance, as will be shown below.

In this regard, Applicants particularly note that the only outstanding rejections against the claims are under 35 U.S.C. §112, and therefore, entry of the amendments will not necessitate any further consideration and/or search of the prior art, since there are no outstanding prior art rejections.

In view of the claim amendments, Applicants take the position that the rejections of the claims under the first paragraph of 35 U.S.C. §112 have been rendered moot.

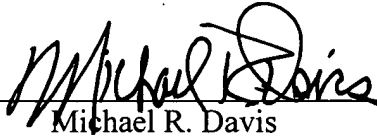
Applicants emphasize that the claim amendments are being made without prejudice to Applicants' rights to pursue the remaining subject matter of the claims in a continuing application.

The Examiner has maintained the obviousness-type double patenting rejection based on Serial No. 11/488,858. Applicants submit that this rejection should also be withdrawn in view of the claim amendments. In addition, Applicants point out that the '858 application is directed to the use of compounds for the inhibition of beta-secretase, cathepsin D, plasmepsin II and HIV-protease.

Therefore, in view of the foregoing amendments and remarks, it is submitted that each of the grounds of rejection set forth by the Examiner has been overcome, and that the application is in condition for allowance. Such allowance is solicited.

Respectfully submitted,

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